

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 13 2015

SEAN F. McAVOY, CLERK
DEPUTY
VARMA, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender:

Case Number: 0980 2:13CR02092-LRS-22

Address of Offender: 203 South Date Street, Toppenish, Washington 98948

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: April 24, 2014

Original Offense: Theft From a Gaming Establishment in Excess to \$1,000, 18 U.S.C. § 1167(b)

Original Sentence: Probation: 36 Months Type of Supervision: Probation

Asst. U.S. Attorney: Alison L. Gregoire Date Supervision Commenced: April 24, 2014

Defense Attorney: Philip E. Nino Date Supervision Expires: April 23, 2017

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1 **Mandatory Condition # 6:** If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

Supporting Evidence: Mr. Gaona has failed to stay current with his restitution payments as of May 12, 2015.

On April 30, 2014, Mr. Gaona signed a restitution repayment agreement agreeing to make \$80 monthly payment towards his financial obligation. As of April 6, 2015, Mr. Gaona has only paid a total of \$140 towards his restitution causing him to be \$740 in arrears.

2 **Standard Condition # 6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

Supporting Evidence: Mr. Gaona failed to notify his probation officer prior to quitting his job at Amtech on or about March 30, 2015.

Prob12C

Re: Gaona, Victor Daniel**May 12, 2015****Page 2**

On April 27, 2015, Mr. Gaona reported to the probation office and reported he was no longer employed at Amtech in Wapato, Washington. He reported he quit his job on March 30, 2015, because he no longer liked his job. Mr. Gaona was reminded he has a condition of supervision that requires him to notify his probation officer prior to quitting his job. Mr. Gaona stated he reported his unemployment status on his monthly report dated April 6, 2015. However, that report still shows him reporting to be employed. Mr. Gaona was not being truthful on his report.

- 3 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. Gaona has failed to provide a telephone contact number for whom can verify his community service hours, as directed by his probation officer as of May 12, 2015.

On April 27, 2015, Mr. Gaona provided two documents showing he completed 32 hours of community service at Inspire. However, there was no contact number to verify the service hours completed. Mr. Gaona was instructed to provide the undersigned officer with a contact telephone number to confirm his hours completed, but has yet to do so as directed.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

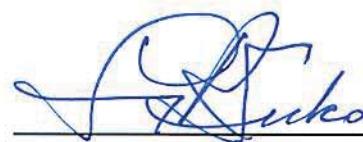
Executed on: May 12, 2015

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer

5/13/15

Date